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STATE OF NEBRASKA
STATUTES RELATING TO
NURSE PRACTICE ACT

NEBRASKA HEALTH AND HUMAN SERVICES SYSTEM



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PRACTICE OF NURSING

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STATUTES PERTAINING TO THE PRACTICE OF NURSING

71-1,108 to 71-1,132. Repealed. Laws 1953, c. 245, §21.

71-1,132.01. Act, how cited. Sections 71-1,132.01 to 71-1,132.53 shall be known and may be cited as the Nurse Practice Act.

Source: Laws 1995, LB 563, § 4; Laws 2000, LB 523, § 2. Operative date January 1, 2001.

71-1,132.02 to 71-1,132.03. Act, expired.

Note: According to the provisions of section 71-1,132.03, R.S. Supp., 1945, these sections expired by their own limitation on March 1, 1947. They have therefore been omitted.

71-1,132.04. Nursing; license; required. In the interest of health and morals and the safeguarding of life, any person practicing or offering to practice nursing in this state for compensation or gratuitously, except as provided in section 71-1,132.06, shall submit satisfactory evidence as provided in the Nurse Practice Act that he or she is qualified to so practice and is licensed as provided by the act. Except as provided in section 71-1,132.06, the practice or attempted practice of nursing, the holding out or attempted holding out of oneself as a registered nurse or a licensed practical nurse, or the use of any title, abbreviation, card, or device to indicate that such a person is practicing nursing is unlawful unless such person has been duly licensed and registered according to the provisions of the act. The practice of nursing by any such unlicensed person or by a nurse whose license has been suspended, revoked, or expired or is on a lapsed or inactive status is declared to be a danger to the public health and welfare.

In addition to any other civil, criminal, or disciplinary remedy, the Attorney General, the board, the county attorney of any county in which a person is practicing or purporting to practice nursing without a valid license, or any citizen may, in accordance with the laws of this state governing injunction, maintain an action to enjoin that person from practicing nursing until such person obtains a valid license.

An injunction without bond may be obtained by the board for enforcement of the act.

Source: Laws 1953, c. 245, § 1, p. 835; Laws 1975, LB 422, § 1; Laws 1995, LB 563, § 5; Laws 2002, LB 1062, § 19. Operative date July 20, 2002.

71-1,132.05. Nursing; terms, defined. (*Effective until July 1, 2007*) For purposes of the Nurse Practice Act, unless the context otherwise requires:

- (1) Executive director means the executive director of the Board of Nursing;
- (2) Board means the Board of Nursing;
- (3) License by endorsement means the granting of active status and the authority to practice to an individual who has been licensed in another jurisdiction;
- (4) License by examination means the authority to practice is based on an assessment of minimum competency by such means as the board may determine;
- (5) License, for purposes of discipline, includes the multistate licensure privilege to practice granted by the Nurse Licensure Compact. If the multistate licensure privilege is restricted due to disciplinary action by the home state, the department may, upon request by the individual, grant the authority to practice in this state;
- (6) Licensed practitioner means a person lawfully authorized to prescribe medications or treatments;
- (7) The practice of nursing means the performance for compensation or gratuitously of any act expressing judgment or skill based upon a systematized body of nursing knowledge. Such acts include the identification of and intervention in actual or potential health problems of individuals, families, or groups, which acts are directed toward maintaining health status, preventing illness, injury, or infirmity, improving health status, and providing care supportive to or restorative of life and well-being through nursing assessment and through the execution of nursing care and of diagnostic or therapeutic regimens prescribed by any person lawfully authorized to prescribe. Each nurse is directly accountable and responsible to the consumer for the quality of nursing care rendered. Licensed nurses may use the services of unlicensed individuals to provide assistance with personal care and activities of daily living;
- (8) The practice of nursing by a registered nurse means assuming responsibility and accountability for nursing actions which include, but are not limited to:
 - (a) Assessing human responses to actual or potential health conditions;
 - (b) Establishing nursing diagnoses;
 - (c) Establishing goals and outcomes to meet identified health care needs;
 - (d) Establishing and maintaining a plan of care;
 - (e) Prescribing nursing interventions to implement the plan of care;
 - (f) Implementing the plan of care;
 - (g) Teaching health care practices;

(h) Delegating, directing, or assigning nursing interventions that may be performed by others and that do not conflict with the act;

(i) Maintaining safe and effective nursing care rendered directly or indirectly;

(j) Evaluating responses to interventions;

(k) Teaching theory and practice of nursing;

(l) Conducting, evaluating, and utilizing nursing research;

(m) Administering, managing, and supervising the practice of nursing; and

(n) Collaborating with other health professionals in the management of health care;

(9) The practice of nursing by a licensed practical nurse means the assumption of responsibilities and accountability for nursing practice in accordance with knowledge and skills acquired through an approved program of practical nursing. A licensed practical nurse may function at the direction of a licensed practitioner or a registered nurse. Such responsibilities and performances of acts must utilize procedures leading to predictable outcomes and must include, but not be limited to:

(a) Contributing to the assessment of the health status of individuals and groups;

(b) Participating in the development and modification of a plan of care;

(c) Implementing the appropriate aspects of the plan of care;

(d) Maintaining safe and effective nursing care rendered directly or indirectly;

(e) Participating in the evaluation of response to interventions; and

(f) Assigning and directing nursing interventions that may be performed by others and that do not conflict with the act;

(10) Department means the Department of Health and Human Services Regulation and Licensure;

(11) Director means the Director of Regulation and Licensure;

(12) Clinical nurse specialist means a registered nurse licensed in Nebraska who holds a master's degree or a doctoral degree in a nursing clinical specialty area;

(13) Inactive status means the designation given to a licensee who requests this status and pays the fee. A licensee on inactive status is issued a card indicating inactive status but shall not practice;

(14) Lapsed status means the designation given to a licensee who requests this status. A licensee on lapsed status shall not practice;

(15) Expiration date means the date on which the license expires has passed. The licensee whose license has expired shall not practice;

(16) Suspended means the licensee's authority to practice has been temporarily removed as a result of disciplinary action;

(17) Revoked means the licensee's authority to practice has been removed as a result of disciplinary action. The licensee may apply for reinstatement of his or her license two years or more after the date of revocation;

(18) Reinstatement means the return to active status and the restoration of the authority to practice to a licensee who was previously licensed in this state;

(19) Verification means attesting to the current status of an individual's license;

(20) Certification means attesting to the current status of an individual's license, any disciplinary action taken, and the means by which the individual was licensed;

(21) Probation means that the individual's authority to practice is contingent on the licensee meeting specified conditions imposed as a result of disciplinary action;

(22) Limited license means that certain restrictions have been imposed on the individual's authority to practice as a result of disciplinary action;

(23) Assignment means appointing or designating another individual the responsibility for the performance of nursing interventions;

(24) Delegation means transferring to another individual the authority, responsibility, and accountability to perform nursing interventions; and

(25) Direction means managing, guiding, and supervising the nursing interventions performed by another individual.

71-1,132.05. Nursing; terms, defined. (Effective on July 1, 2007) For purposes of the Nurse Practice Act, unless the context otherwise requires:

(1) Executive director means the executive director of the Board of Nursing;

(2) Board means the Board of Nursing;

(3) License by endorsement means the granting of active status and the authority to practice to an individual who has been licensed in another jurisdiction;

(4) License by examination means the authority to practice is based on an assessment of minimum competency by such means as the board may determine;

(5) License, for purposes of discipline, includes the multistate licensure privilege to practice granted by the Nurse Licensure Compact. If the multistate licensure privilege is restricted due to disciplinary action by the home state, the department may, upon request by the individual, grant the authority to practice in this state;

(6) Licensed practitioner means a person lawfully authorized to prescribe medications or treatments;

(7) The practice of nursing means the performance for compensation or gratuitously of any act expressing judgment or skill based upon a systematized body of nursing knowledge. Such acts include the identification of and intervention in actual or potential health problems of individuals, families, or groups, which acts are directed toward maintaining health status, preventing illness, injury, or infirmity, improving health status, and providing care supportive to or restorative of life and well-being through nursing assessment and through the execution of nursing care and of diagnostic or therapeutic regimens prescribed by any person lawfully authorized to prescribe. Each nurse is directly accountable and responsible to the consumer for the quality of nursing care rendered. Licensed nurses may use the services of unlicensed individuals to provide assistance with personal care and activities of daily living;

(8) The practice of nursing by a registered nurse means assuming responsibility and accountability for nursing actions which include, but are not limited to:

- (a) Assessing human responses to actual or potential health conditions;
- (b) Establishing nursing diagnoses;
- (c) Establishing goals and outcomes to meet identified health care needs;
- (d) Establishing and maintaining a plan of care;
- (e) Prescribing nursing interventions to implement the plan of care;
- (f) Implementing the plan of care;
- (g) Teaching health care practices;
- (h) Delegating, directing, or assigning nursing interventions that may be performed by others and that do not conflict with the act;

(i) Maintaining safe and effective nursing care rendered directly or indirectly;

(j) Evaluating responses to interventions, including, but not limited to, performing physical and psychological assessments of patients under restraint and seclusion as required by federal law, if the registered nurse has been trained in the use of emergency safety intervention;

- (k) Teaching theory and practice of nursing;
- (l) Conducting, evaluating, and utilizing nursing research;
- (m) Administering, managing, and supervising the practice of nursing; and
- (n) Collaborating with other health professionals in the management of health care;

(9) The practice of nursing by a licensed practical nurse means the assumption of responsibilities and accountability for nursing practice in accordance with knowledge and skills acquired through an approved program of practical nursing. A licensed practical nurse may function at the direction of a licensed practitioner or a registered nurse. Such responsibilities and performances of acts must utilize procedures leading to predictable outcomes and must include, but not be limited to:

- (a) Contributing to the assessment of the health status of individuals and groups;
- (b) Participating in the development and modification of a plan of care;
- (c) Implementing the appropriate aspects of the plan of care;
- (d) Maintaining safe and effective nursing care rendered directly or indirectly;
- (e) Participating in the evaluation of response to interventions; and
- (f) Assigning and directing nursing interventions that may be performed by others and that do not conflict with the act;

(10) Department means the Department of Health and Human Services Regulation and Licensure;

(11) Director means the Director of Regulation and Licensure;

(12) Inactive status means the designation given to a licensee who requests this status and pays the fee. A licensee on inactive status is issued a card indicating inactive status but shall not practice;

(13) Lapsed status means the designation given to a licensee who requests this status. A licensee on lapsed status shall not practice;

(14) Expiration date means the date on which the license expires has passed. The licensee whose license has expired shall not practice;

(15) Suspended means the licensee's authority to practice has been temporarily removed as a result of disciplinary action;

(16) Revoked means the licensee's authority to practice has been removed as a result of disciplinary action. The licensee may apply for reinstatement of his or her license two years or more after the date of revocation;

(17) Reinstatement means the return to active status and the restoration of the authority to practice to a licensee who was previously licensed in this state;

(18) Verification means attesting to the current status of an individual's license;

(19) Certification means attesting to the current status of an individual's license, any disciplinary action taken, and the means by which the individual was licensed;

(20) Probation means that the individual's authority to practice is contingent on the licensee meeting specified conditions imposed as a result of disciplinary action;

(21) Limited license means that certain restrictions have been imposed on the individual's authority to practice as a result of disciplinary action;

(22) Assignment means appointing or designating another individual the responsibility for the performance of nursing interventions;

(23) Delegation means transferring to another individual the authority, responsibility, and accountability to perform nursing interventions; and

(24) Direction means managing, guiding, and supervising the nursing interventions performed by another individual.

Source: Laws 1953, c. 245, §2, p. 836; Laws 1955, c. 272, §1, p. 854; Laws 1959, c. 320, §1, p. 1171; Laws 1975, LB 422, §2; Laws 1980, LB 847, §2; Laws 1981, LB 379, §35; Laws 1989, LB 342, §19; Laws 1992, LB 1019, §42; Laws 1995, LB 563, §7; Laws 1996, LB 1044, §437; Laws 2000, LB 523, §5; Laws 2005, LB 256, §24. Operative date July 1, 2007.

71-1,132.06. Nursing; practices permitted. The Nurse Practice Act confers no authority to practice medicine or surgery. The act does not prohibit:

(1) Home care provided by parents, foster parents, family, or friends so long as any such person does not represent or hold himself or herself out to be a nurse or use any designation in connection with his or her name which tends to imply that he or she is licensed to practice under the act;

(2) Christian Science nursing consistent with the theology of Christian Science provided by a Christian Science nurse who does not hold himself or herself out as a registered nurse or a licensed practical nurse;

(3) Auxiliary patient care services provided by persons carrying out duties under the direction of a licensed practitioner;

(4) Auxiliary patient care services provided by persons carrying out interventions for the support of nursing service as delegated by a registered nurse or as assigned and directed by a licensed practical nurse licensed under the act;

(5) The gratuitous rendering of assistance by anyone in the case of an emergency;

(6) Nursing by any legally licensed nurse of any other state whose engagement requires him or her to (a) accompany and care for a patient temporarily residing in this state during the period of one such engagement not to exceed six months in length, (b) transport patients into, out of, or through this state provided each transport does not exceed twenty-four hours, (c) provide patient care during periods of transition following transport, (d) provide educational programs or consultative services within this state for a period not to exceed fourteen consecutive days if neither the education nor the consultation includes the provision or the direction of patient care, and (e) provide nursing care in the case of a disaster. These exceptions do not permit a person to represent or hold himself or herself out as a nurse licensed to practice in this state;

(7) Nursing services rendered by a student enrolled in an approved program of nursing when the services are a part of the student's course of study; or

(8) The practice of nursing by any legally licensed nurse of another state who is employed by the United States Government or any bureau, division, or agency of the United States Government while in the discharge of his or her official duties or, if permitted by federal law, as a citizen of a foreign country temporarily residing in Nebraska for a period not to exceed one year for the purpose of postgraduate study, certified to be such by an appropriate agency satisfactory to the board.

Source: Laws 1953, c. 245, §3, p. 836; Laws 1955, c. 272, §2, p. 854; Laws 1975, LB 422, §3; Laws 1989, LB 342, §20; Laws 1991, LB 703, §18; Laws 1995, LB 563, §8; Laws 1996, LB 1155, §24; Laws 2002, LB 1062, §20. Operative date July 20, 2002.

71-1,132.07. Board of Nursing; members; qualifications; appointment; term; vacancies; removal from office; immunity; conflicts of interest. (*Effective until July 1, 2007*) (1) The Board of Nursing is established. The board shall consist of eight registered nurse members, two licensed practical nurse members, and two consumer members, all of whom shall be appointed by the State Board of Health. The registered nurses on the Board of Nursing shall be from the following areas: (a) One practical nurse educator; (b) one associate degree or diploma nurse educator; (c) one baccalaureate nurse educator; (d) two nursing service administrators; (e) two staff nurses; and (f) one clinical nurse specialist, advanced practice registered nurse, certified nurse practitioner-anesthetist, or certified nurse midwife. The nursing service administrators, the staff nurses, and the licensed practical nurses shall be equally representative of acute care, long-term care, and community-based care. All congressional districts shall be equally represented on the board, and each member shall have been a bona fide resident of the congressional district from which he or she is appointed for a period of at least one year prior to the time of the appointment of such member.

(2) The terms of office of all board members shall be staggered terms of four years each as the State Board of Health determines.

(3) At the expiration of the term of any member, the State Board of Health may consult with appropriate nursing organizations regarding candidates for appointment. Appointments shall be made on or before December 1 of each year. In order to be considered for reappointment, a candidate must currently meet all criteria for initial appointment. Vacancies occurring on the Board of Nursing shall be filled for the unexpired terms by appointments made by the State Board of Health. No member shall serve more than two consecutive terms on the Board of Nursing. Any board member initially appointed for less than a full term shall be eligible to serve for two additional consecutive full terms.

(4) The State Board of Health shall have power to remove from office at any time any member of the Board of Nursing, after a public hearing pursuant to the Administrative Procedure Act, for physical or mental incapacity to carry out the duties of a board member, for continued neglect of duty, for incompetency, for acting beyond the individual member's scope of

authority, for malfeasance in office, for any cause for which a license or certificate in the member's profession involved may be suspended or revoked, for a lack of licensure or certification in the member's profession, or for other sufficient cause.

(5) All members of the board are immune from individual civil liability while acting within the scope of their duties as board members.

(6) If the entire board, an individual member, or a staff member is sued, the Attorney General shall appoint an attorney to represent the involved parties.

(7) The department shall adopt and promulgate rules and regulations which establish definitions of conflicts of interest for members of the board and which establish procedures in the case such a conflict arises.

71-1,132.07. Board of Nursing; members; qualifications; appointment; term; vacancies; removal from office; immunity; conflicts of interest. (*Effective on July 1, 2007*) (1) The Board of Nursing is established. The board shall consist of eight registered nurse members, two licensed practical nurse members, and two consumer members, all of whom shall be appointed by the State Board of Health. The registered nurses on the Board of Nursing shall be from the following areas: (a) One practical nurse educator; (b) one associate degree or diploma nurse educator; (c) one baccalaureate nurse educator; (d) two nursing service administrators; (e) two staff nurses; and (f) one advanced practice registered nurse. The nursing service administrators, the staff nurses, and the licensed practical nurses shall be equally representative of acute care, long-term care, and community-based care. All congressional districts shall be equally represented on the board, and each member shall have been a bona fide resident of the congressional district from which he or she is appointed for a period of at least one year prior to the time of the appointment of such member.

(2) The terms of office of all board members shall be staggered terms of four years each as the State Board of Health determines.

(3) At the expiration of the term of any member, the State Board of Health may consult with appropriate nursing organizations regarding candidates for appointment. Appointments shall be made on or before December 1 of each year. In order to be considered for reappointment, a candidate must currently meet all criteria for initial appointment. Vacancies occurring on the Board of Nursing shall be filled for the unexpired terms by appointments made by the State Board of Health. No member shall serve more than two consecutive terms on the Board of Nursing. Any board member initially appointed for less than a full term shall be eligible to serve for two additional consecutive full terms.

(4) The State Board of Health shall have power to remove from office at any time any member of the Board of Nursing, after a public hearing pursuant to the Administrative Procedure Act, for physical or mental incapacity to carry out the duties of a board member, for continued neglect of duty, for incompetency, for acting beyond the individual member's scope of authority, for malfeasance in office, for any cause for which a license or certificate in the member's profession involved may be suspended or revoked, for a lack of licensure or certification in the member's profession, or for other sufficient cause.

(5) All members of the board are immune from individual civil liability while acting within the scope of their duties as board members.

(6) If the entire board, an individual member, or a staff member is sued, the Attorney General shall appoint an attorney to represent the involved parties.

(7) The department shall adopt and promulgate rules and regulations which establish definitions of conflicts of interest for members of the board and which establish procedures in the case such a conflict arises.

Source: Laws 1953, c. 245, §4(1), p. 838; Laws 1955, c. 272, §3, p. 856; Laws 1959, c. 320, §2, p. 1171; Laws 1961, c. 338, §1, p. 1059; Laws 1961, c. 282, §4, p. 825; Laws 1975, LB 422, §4; Laws 1987, LB 473, §22; Laws 1988, LB 1100, §37; Laws 1993, LB 375, §1; Laws 1994, LB 1223, §15; Laws 1995, LB 563, §11; Laws 1996, LB 414, §4; Laws 2000, LB 1115, §15; Laws 2002, LB 1062, §21; Laws 2005, LB 256, §25. Operative date July 1, 2007.

71-1,132.08. Board of Nursing; members; qualifications. (*Effective until July 1, 2007*) (1) Each licensed practical nurse educator on the board shall (a) be a registered nurse currently licensed in the state, (b) have graduated with a baccalaureate degree in nursing or a related field of study, (c) have had a minimum of three years' experience in administration, teaching, or consultation in practical nurse education, and (d) be currently employed as a practical nurse educator.

(2) Each associate degree or diploma nurse educator on the board and the baccalaureate nurse educator on the board shall (a) be a registered nurse currently licensed in the state, (b) have graduated with a master's degree in nursing, (c) have had a minimum of five years' experience in administration, teaching, or consultation in nursing education, and (d) be currently employed in the field being represented.

(3) Each staff nurse on the board shall (a) be a registered nurse currently licensed in the state, (b) have had a minimum of five years' experience in nursing, and (c) be currently employed as a staff nurse in the provision of patient care services.

(4) Each nursing service administrator on the board shall (a) be a registered nurse currently licensed in the state, (b) have had a minimum of five years' experience in nursing service administration, and (c) be currently employed in such field.

(5) Each licensed practical nurse member shall (a) have completed at least four years of high school study, (b) be licensed as a licensed practical nurse in this state, (c) have obtained a certificate or diploma from a state-approved practical

nursing program, (d) have been actively engaged in practical nursing for at least five years, and (e) be currently employed in the provision of patient care services as a licensed practical nurse in the state.

(6) Each consumer member shall (a) not have been involved in providing health care services in this state for at least three years prior to his or her appointment, (b) be of voting age, and (c) be a resident of the state.

(7) The clinical nurse specialist, advanced practice registered nurse, certified nurse practitioner-anesthetist, or certified nurse midwife on the board shall (a) have a minimum of five years' experience in the role and (b) be currently employed in the role and (c) the advanced practice registered nurse, nurse practitioner-anesthetist, or nurse midwife must be currently licensed or certified according to the Advanced Practice Registered Nurse Act or the Nebraska Certified Nurse Midwifery Practice Act.

(8) For purposes of this section, current employment means having practiced no less than two thousand hours in the two years preceding appointment.

71-1,132.08. Board of Nursing; members; qualifications. (*Effective on July 1, 2007*) (1) Each licensed practical nurse educator on the board shall (a) be a registered nurse currently licensed in the state, (b) have graduated with a baccalaureate degree in nursing or a related field of study, (c) have had a minimum of three years' experience in administration, teaching, or consultation in practical nurse education, and (d) be currently employed as a practical nurse educator.

(2) Each associate degree or diploma nurse educator on the board and the baccalaureate nurse educator on the board shall (a) be a registered nurse currently licensed in the state, (b) have graduated with a master's degree in nursing, (c) have had a minimum of five years' experience in administration, teaching, or consultation in nursing education, and (d) be currently employed in the field being represented.

(3) Each staff nurse on the board shall (a) be a registered nurse currently licensed in the state, (b) have had a minimum of five years' experience in nursing, and (c) be currently employed as a staff nurse in the provision of patient care services.

(4) Each nursing service administrator on the board shall (a) be a registered nurse currently licensed in the state, (b) have had a minimum of five years' experience in nursing service administration, and (c) be currently employed in such field.

(5) Each licensed practical nurse member shall (a) have completed at least four years of high school study, (b) be licensed as a licensed practical nurse in this state, (c) have obtained a certificate or diploma from a state-approved practical nursing program, (d) have been actively engaged in practical nursing for at least five years, and (e) be currently employed in the provision of patient care services as a licensed practical nurse in the state.

(6) Each consumer member shall (a) not have been involved in providing health care services in this state for at least three years prior to his or her appointment, (b) be of voting age, and (c) be a resident of the state.

(7) The advanced practice registered nurse on the board shall (a) have a minimum of five years' experience as, (b) be currently employed as, and (c) be licensed as an advanced practice registered nurse.

(8) For purposes of this section, current employment means having practiced no less than two thousand hours in the two years preceding appointment.

Source: Laws 1953, c. 245, §4(2), p. 838; Laws 1955, c. 272, §4, p. 857; Laws 1975, LB 422, §5; Laws 1988, LB 1100, §38; Laws 1994, LB 1223, §16; Laws 1995, LB 563, §12; Laws 1996, LB 414, §5; Laws 2000, LB 1115, §16; Laws 2005, LB 256, §26. Operative date July 1, 2007.

71-1,132.09. Board of Nursing; meetings; officers; quorum. The board, at the last scheduled meeting of the calendar year, shall elect from its members a president, vice president, and secretary, each of whom shall hold office for one year. The board shall hold at least three regular meetings each year upon such dates and times as may be determined by the board. A quorum shall be a simple majority of the appointed members of the board.

Source: Laws 1953, c. 245, § 4 (3), p. 839; Laws 1995, LB 563, § 13; Laws 1999, LB 594, § 35. Operative date May 26, 1999.

71-1,132.10. Board of Nursing; purposes. The purposes of the board are to (1) provide for the health, safety, and welfare of the citizens, (2) insure that nurses meet minimum standards of proficiency and competency, (3) insure that programs of nursing meet the educational needs of the student and qualify students to serve the public safely, and (4) regulate the field of nursing in the interest of consumer protection in the state.

Source: Laws 1983, LB 472, §1; Laws 1995, LB 563, §14. Operative date June 7, 1995.

71-1,132.11. Board of Nursing; rules and regulations; powers and duties; enumerated. (*Effective until July 1, 2007*) The board may adopt, promulgate, and revise, with the approval of the department, such rules and regulations consistent with the Nurse Practice Act as may be necessary to carry the act into effect. All such rules and regulations shall be published and distributed. The board shall:

(1) Adopt reasonable and uniform standards for nursing practice and nursing education;

(2) If requested, issue or decline to issue advisory opinions defining acts which in the opinion of the board are or are not permitted in the practice of nursing as defined in section 71-1,132.05. Such opinions shall be considered informational only and are nonbinding. Practice-related information provided by the board to registered or licensed practical nurses licensed under the act shall be made available by the board on request to nurses practicing in this state under a license issued by a state that is a party to the Nurse Licensure Compact;

(3) Establish rules and regulations for approving and classifying programs preparing nurses, taking into consideration administrative and organizational patterns, the curriculum, students, student services, faculty, and instructional resources and facilities, and provide surveys for each educational program as determined by the board;

(4) Approve educational programs which meet the requirements of the act;

(5) Examine, license, and renew the licenses of duly qualified applicants;

(6) Keep a record of all its proceedings and compile an annual report for distribution;

(7) Establish continuing competency requirements. Continuing education is sufficient to meet continuing competency requirements. The requirements may also include, but not be limited to, one or more of the continuing competency activities listed in section 71-161.09 which a licensee may select as an alternative to continuing education;

(8) Adopt rules and regulations establishing standards for delegation of nursing activities, including training or experience requirements, competency determination, and nursing supervision;

(9) Make recommendations in accordance with section 71-168.01 regarding licensure and disciplinary dispositions for individuals who have violated the act and upon the grounds provided in the Uniform Licensing Law;

(10) Collect data regarding nursing;

(11) Provide consultation and conduct conferences, forums, studies, and research on nursing practice and education;

(12) Join organizations that develop and regulate the national nursing licensure examinations and exclusively promote the improvement of the legal standards of the practice of nursing for the protection of the public health, safety, and welfare;

(13) Appoint special purpose groups or ad hoc groups to advise the board; and

(14) Administer the provisions of the Advanced Practice Registered Nurse Act as it applies to certified registered nurse anesthetists, and Nebraska Certified Nurse Midwifery Practice Act, and the Nurse Licensure Compact. In reporting information to the coordinated licensure information system under Article VII of the compact, the department may disclose personal identifying information about a nurse, including his or her social security number.

71-1,132.11. Board of Nursing; rules and regulations; powers and duties; enumerated. (*Effective on July 1, 2007*) The board may adopt, promulgate, and revise, with the approval of the department, such rules and regulations consistent with the Nurse Practice Act as may be necessary to carry the act into effect. All such rules and regulations shall be published and distributed. The board shall:

(1) Adopt reasonable and uniform standards for nursing practice and nursing education;

(2) If requested, issue or decline to issue advisory opinions defining acts which in the opinion of the board are or are not permitted in the practice of nursing as defined in section 71-1,132.05. Such opinions shall be considered informational only and are nonbinding. Practice-related information provided by the board to registered nurses or licensed practical nurses licensed under the act shall be made available by the board on request to nurses practicing in this state under a license issued by a state that is a party to the Nurse Licensure Compact;

(3) Establish rules and regulations for approving and classifying programs preparing nurses, taking into consideration administrative and organizational patterns, the curriculum, students, student services, faculty, and instructional resources and facilities, and provide surveys for each educational program as determined by the board;

(4) Approve educational programs which meet the requirements of the act;

(5) Keep a record of all its proceedings and compile an annual report for distribution;

(6) Establish continuing competency requirements. Continuing education is sufficient to meet continuing competency requirements. The requirements may also include, but not be limited to, one or more of the continuing competency activities listed in section 71-161.09 which a licensee may select as an alternative to continuing education;

(7) Adopt rules and regulations establishing standards for delegation of nursing activities, including training or experience requirements, competency determination, and nursing supervision;

(8) Make recommendations in accordance with section 71-168.01 regarding licensure and disciplinary dispositions for individuals who have violated the act and upon the grounds provided in the Uniform Licensing Law;

(9) Collect data regarding nursing;

(10) Provide consultation and conduct conferences, forums, studies, and research on nursing practice and education;

(11) Join organizations that develop and regulate the national nursing licensure examinations and exclusively promote the improvement of the legal standards of the practice of nursing for the protection of the public health, safety, and welfare;

(12) Appoint special purpose groups or ad hoc groups to advise the board; and

(13) Administer the Nurse Licensure Compact. In reporting information to the coordinated licensure information system under Article VII of the compact, the department may disclose personal identifying information about a nurse, including his or her social security number.

Source: Laws 1953, c. 245, §5, p. 839; Laws 1959, c. 310, §3, p. 1172; Laws 1965, c. 414, §1, p. 1322; Laws 1975, LB 422, §6; Laws 1976, LB 692, §1; Laws 1978, LB 653, §24; Laws 1978, LB 658, §1; Laws 1980, LB 847, §3; Laws 1981, LB 379, §36; Laws 1991, LB 703, §19; Laws 1995, LB 563, §15; Laws 1996, LB 414, §6; Laws 1999, LB 594, §36; Laws 2000, LB 523, §6; Laws 2000, LB 1115, §17; Laws 2002, LB 1021, §19; Laws 2002, LB 1062, §22; Laws 2005, LB 256, §27. Operative date July 1, 2007.

71-1,132.12. Board of Nursing; members; per diem; expenses. Each appointed member of the board shall receive a per diem not to exceed one hundred dollars per day for each day such person is actually engaged in the discharge of his or her official duties, in addition to traveling, hotel, and other necessary expenses as provided in sections 81-1174 to 81-1177.

Source: Laws 1953, c. 245, §6, p. 840; Laws 1975, LB 422, §7; Laws 1981, LB 204, §111; Laws 1995, LB 563, §16. Operative date June 7, 1995.

71-1,132.13. Nursing; license; application; requirements. An applicant for a license to practice as a registered nurse shall file with the department a written application for a license and submit satisfactory proof that the applicant is of good moral character, has completed four years of high school study or its equivalent as determined by the board, and has completed the basic professional curriculum in and holds a diploma from an accredited program of registered nursing approved by the board. Graduates of foreign nursing programs shall pass the Canadian Nurses Association examination or hold a certificate from the Commission on Graduates of Foreign Nursing Schools. Such application shall be made upon a form prescribed and approved by the department, verified by the applicant's oath, and accompanied by an application fee established and collected as provided in section 71-162. The application shall include the applicant's social security number.

Source: Laws 1953, c. 245, §7, p. 841; Laws 1965, c. 414, §2, p. 1323; Laws 1974, LB 811, §12; Laws 1975, LB 422, §8; Laws 1980, LB 847, §4; Laws 1989, LB 344, §6; Laws 1995, LB 563, §17; Laws 1997, LB 752, §157; Laws 1999, LB 594, §37; Laws 2002, LB 1062, §23; Laws 2003, LB 242, §44. Operative date July 1, 2004.

71-1,132.14. Nursing; license; examination; requirements. An applicant for a license as a registered nurse or as a licensed practical nurse shall pass an examination in such subjects as the board may determine. The department shall give notice of the time and place of all examinations required by the Nurse Practice Act. Upon the applicant's passing such examination and meeting all other requirements for licensure, the department, upon the recommendation of the board, shall issue to the applicant a license to practice nursing as a registered nurse or as a licensed practical nurse.

Source: Laws 1953, c. 245, §8 (1), p. 841; Laws 1975, LB 422, §9; Laws 1980, LB 847, §5; Laws 1983, LB 472, §2; Laws 1987, LB 473, §23; Laws 1994, LB 1210, §57; Laws 1995, LB 563, §18. Operative date June 7, 1995.

71-1,132.15. Nursing license; issuance by endorsement, when. The department may issue a license to practice nursing as a registered nurse or as a licensed practical nurse by endorsement to an applicant who has been duly licensed as a registered nurse or a licensed practical nurse under the laws of another state or territory, if in the opinion of the department, upon the recommendation of the board, the applicant meets the qualifications required of registered nurses or licensed practical nurses in this state.

Source: Laws 1953, c. 245, §8 (2), p. 841; Laws 1975, LB 422, §10; Laws 1980, LB 847, §6; Laws 1995, LB 563, §19. Operative date June 7, 1995.

71-1,132.16. Nursing; temporary permit; issuance; conditions; how long valid; extension. A temporary permit to practice nursing may be issued to:

(1) An individual seeking to obtain licensure or reinstatement of his or her license when he or she has not practiced nursing in the last five years. Such permit is valid only for the duration of the review course of study and only for nursing practice required for the review course of study;

(2) Graduates of approved programs of nursing who have passed the licensure examination, pending the completion of application for Nebraska licensure. Such permit is valid for a period not to exceed sixty days; or

(3) Nurses currently licensed in another state as either a registered nurse or a licensed practical nurse who have graduated from an educational program approved by the board, pending completion of application for Nebraska licensure. Such permit shall be valid for a period not to exceed sixty days.

Temporary permits issued pursuant to this section may be extended by the department with the concurrence of the board.

Source: Laws 1953, c. 245, §8(3), p. 841; Laws 1975, LB 422, §11; Laws 1980, LB 847, §7; Laws 1994, LB 1210, §58; Laws 1995, LB 563, §20; Laws 2002, LB 1062, §24. Operative date July 20, 2002.

71-1,132.17. Nursing; use of title; restriction. (1) In the interest of public safety and consumer awareness, it is unlawful for any person to use the title nurse in reference to himself or herself in any capacity, except individuals who are or have been licensed as a registered nurse or a licensed practical nurse. A Christian Science nurse may refer to himself or herself only as a Christian Science nurse.

(2) The terms "nurse", "registered nurse", and "licensed practical nurse" include persons licensed as registered nurses or

licensed practical nurses by a state that is a party to the Nurse Licensure Compact. Unless the context otherwise indicates or unless doing so would be inconsistent with the compact, nurses practicing in this state under a license issued by a state that is a party to the compact have the same rights and obligations as imposed by the laws of this state on licensees licensed under the Nurse Practice Act. The department has the authority to determine whether a right or obligation imposed on licensees applies to nurses practicing in this state under a license issued by a state that is a party to the compact, unless that determination is inconsistent with the compact.

Source: Laws 1995, LB 563, § 6; Laws 1996, LB 1155, § 25; Laws 2000, LB 523, § 7. Operative date January 1, 2001.

71-1,132.18. Nursing; license; title or abbreviation; use. *(Effective until July 1, 2007)* Any person who holds a license to practice as a registered nurse in this state has the right to use the title Registered Nurse and the abbreviation R.N. No other person shall assume or use such title or abbreviation or any words, letters, signs, or devices to indicate that the person using the same is authorized to practice registered nursing. No person shall use the title Clinical Nurse Specialist unless he or she is a clinical nurse specialist as defined in section 71-1,132.05.

71-1,132.18. Nursing; license; title or abbreviation; use. *(Effective on July 1, 2007)* Any person who holds a license to practice as a registered nurse in this state has the right to use the title Registered Nurse and the abbreviation R.N. No other person shall assume or use such title or abbreviation or any words, letters, signs, or devices to indicate that the person using the same is authorized to practice registered nursing.

Source: Laws 1953, c. 245, §10, p. 842; Laws 1992, LB 1019, §43; Laws 1995, LB 563, §21; Laws 2002, LB 1062, §25; Laws 2005, LB 256, §28. Operative date July 1, 2007.

71-1,132.19. Nursing license; reciprocity; compact requirements. Before recognizing a home state license to practice nursing issued by a state which is a party to the Nurse Licensure Compact, the board shall determine that such state's qualifications for a nursing license are substantially equivalent to or more stringent than the minimum qualifications for issuance of a Nebraska license under the Nurse Practice Act.

Source: Laws 2000, LB 523, § 4. Operative date January 1, 2001.

71-1,132.20. Nursing; license; renewal; application; certificate of renewal; lapse; inactive status. (1) The license of every registered nurse or licensed practical nurse shall be renewed biennially. The biennial expiration date is October 31 of every odd-numbered year for licensed practical nurses and October 31 of every even-numbered year for registered nurses. The biennial license renewals provided for in this section shall be accomplished in such manner as the department, with the approval of the board, shall establish by rule and regulation.

(2) On or before August 1 of each renewal year, the department shall mail an application for renewal of license to every person to whom such license was issued or renewed during the current renewal period. The applicant shall complete and return the application to the department with a renewal fee established and collected as provided in section 71-162 on or before October 31 following the mailing of such notice. Upon receipt of the application and fee, the department shall verify the accuracy of the application and issue to the applicant a certificate of renewal for the renewal period beginning November 1 following the mailing of such notice. The certificate of renewal shall render the holder thereof a legal practitioner of nursing for the period stated on the certificate of renewal.

(3) A licensed practical nurse or registered nurse who wishes to have his or her license lapse upon expiration shall give the department written notice to that effect. The department shall notify the licensee in writing of the acceptance or denial of the request to allow the license to lapse. When the lapsed status becomes effective, the right to practice nursing and to represent himself or herself as a licensed practical nurse or registered nurse shall terminate. To restore the license, the individual shall be required to (a)(i) present evidence of engaging in five hundred hours of the practice of nursing within the five years preceding restoration of the license if the license has been lapsed for two years or more or (ii) meet the renewal requirements in effect at the time he or she wishes to restore the license if the license has been lapsed for less than two years and (b) pay the renewal fee and late fees established as provided in section 71-162.

(4) A licensed practical nurse or registered nurse who wishes to have his or her license placed on inactive status upon expiration shall give the department written notice to that effect and pay the inactive status fee established as provided in section 71-162. The department shall notify the licensee in writing of the acceptance or denial of the request to allow the license to be placed on inactive status. When the license is placed on inactive status, the licensee shall not engage in the practice of nursing in Nebraska. A license may remain on inactive status for an indefinite period of time. In order to move a license from inactive to active status, an individual shall (a)(i) present evidence of engaging in five hundred hours of the practice of nursing within the five years preceding restoration of the license if the license has been on inactive status for two years or more or (ii) meet the renewal requirements in effect at the time he or she wishes to regain active status if the license has been on inactive status for less than two years and (b) pay the renewal fee and other fees established as provided in section 71-162.

(5) Any licensed practical nurse or registered nurse who fails to (a) notify the department that he or she wishes his or her license to lapse or to be placed on inactive status or (b) meet the renewal requirements, on or before the date of expiration of his or her license, shall be given a second notice in the same manner as the first notice advising him or her (i) of the failure to pay, (ii) that the license has expired, (iii) that the department will suspend action for thirty days following the date of expiration, (iv) that upon the receipt of the renewal fee, together with the late fee established as provided in section 71-162, within that time, the license will be renewed, and (v) that upon the failure to receive such fee, the license will be placed on lapsed status.

(6) A fee established as provided in section 71-162 shall be charged to any registered nurse or licensed practical nurse for the issuance of a certification of credentials to another state and to any educational institution or agency.

(7)(a) In order to insure that all nurses have sufficient scientific and practical knowledge to continue to practice nursing, a license to practice nursing shall not be renewed unless the nurse has completed continuing competency activities as required by the board in rules and regulations adopted and promulgated by the department.

(b) The department, with the concurrence of the board, may waive continuing competency requirements for any two-year licensing period when a licensee submits documentation that circumstances justify such waiver. Such circumstances shall be defined in rules and regulations.

Source: Laws 1953, c. 245, § 12(1), p. 842; Laws 1955, c. 272, § 5, p. 857; Laws 1975, LB 422, § 12; Laws 1976, LB 692, § 2; Laws 1978, LB 658, § 2; Laws 1980, LB 847, § 8; Laws 1983, LB 472, § 3; Laws 1988, LB 1100, § 39; Laws 1994, LB 1223, § 17; Laws 1995, LB 563, § 22; Laws 1999, LB 594, § 38; Laws 2002, LB 1021, § 20; Laws 2002, LB 1062, § 26; Laws 2003, LB 242, § 45. Operative date July 1, 2004.

71-1,132.21. Nursing; prohibited practice; penalty. Any person practicing nursing prior to issuance, renewal after expiration, or reinstatement of a credential shall be considered an illegal practitioner and shall be subject to an administrative penalty as prescribed in section 71-164.01 or other such penalties provided for violation of the Nurse Practice Act.

Source: Laws 1953, c. 245, § 12(2), p. 842; Laws 1995, LB 563, § 23; Laws 1999, LB 594, § 39; Laws 2003, LB 242, § 46. Operative date July 1, 2004.

71-1,132.22. Repealed. Laws 2003, LB 242, s. 154.

71-1,132.23. Repealed. Laws 1976, LB 692, §6.

71-1,132.24. Nursing program; application. An institution desiring to conduct a program of nursing shall apply to the board and submit evidence to the board that it is prepared to carry out the prescribed basic nursing curriculum and to meet the other standards established by the Nurse Practice Act and by the board.

Source: Laws 1953, c. 245, § 15(1), p. 843; Laws 1955, c. 272, § 6, p. 858; Laws 1980, LB 847, § 10; Laws 1995, LB 563, § 24; Laws 2002, LB 1062, § 27. Operative date July 20, 2002.

71-1,132.25. Nursing program; application; form. An application to conduct a program of nursing shall be made in writing upon a form to be approved and furnished by the board.

Source: Laws 1953, c. 245, § 15(2), p. 843; Laws 1955, c. 272, § 7, p. 858; Laws 1995, LB 563, § 25; Laws 2002, LB 1062, § 28. Operative date July 20, 2002.

71-1,132.26. Nursing program; survey; report; approval. A survey of the program institution shall be made by the executive director or other representative appointed by the board, who shall submit a written report of the survey to the board. If, in the opinion of the board, the program meets the requirements for approval, it shall approve the program.

Source: Laws 1953, c. 245, §15 (3), p. 843; Laws 1995, LB 563, §26. Operative date June 7, 1995.

71-1,132.27. Nursing programs; survey; report. The board shall, through its executive director or other representative appointed by the board, survey all programs of nursing in the state at time intervals to be determined by the board through rules and regulations. Written reports of such surveys shall be submitted to the board. The board shall act on the report to grant or deny continuing approval of the program.

Source: Laws 1953, c. 245, § 15 (4), p. 844; Laws 1975, LB 422, § 13; Laws 1995, LB 563, § 27; Laws 1999, LB 594, § 40. Operative date May 26, 1999.

71-1,132.28. Nursing programs; failure to maintain standards; notice; discontinue; hearing. If the board determines that any approved program of nursing is not maintaining the standards required by the statutes, rules, and regulations, notice in writing, specifying the defect or defects, shall be immediately given to the program. A program which fails to correct these conditions to the satisfaction of the board within a reasonable time shall be discontinued after hearing.

Source: Laws 1953, c. 245, §15 (5), p. 844; Laws 1980, LB 847, §11; Laws 1995, LB 563, §28. Operative date June 7, 1995.

71-1,132.29. Nursing; license; deny; revoke; suspend; grounds. The department may deny, revoke, or suspend any license to practice nursing issued by the department or applied for in accordance with the Nurse Practice Act or may otherwise discipline a licensee upon the grounds and in the manner provided in the Uniform Licensing Law.

Source: Laws 1953, c. 245, §16, p. 844; Laws 1975, LB 422, §14; Laws 1980, LB 847, §12; Laws 1983, LB 472, §4; Laws 1988, LB 1100, §40; Laws 1991, LB 456, §27; Laws 1994, LB 1210, §59; Laws 1995, LB 563, §29. Operative date June 7, 1995.

71-1,132.30. Health maintenance activities; authorized. The Nurse Practice Act confers no authority to practice medicine or surgery. The act does not prohibit performance of health maintenance activities by a designated care aide for a competent adult at the direction of such adult or at the direction of a caretaker for a minor child or incompetent adult. Health maintenance activities are those activities which enable the minor child or adult to live in his or her home and community. Such activities are those specialized procedures, beyond activities of daily living, which the minor child or adult is unable to perform for himself or herself and which the attending physician or registered nurse determines can be safely performed in the home and community by a designated care aide as directed by a competent adult or caretaker. A competent adult is someone who has the capability and capacity to make an informed decision. For purposes of this section, caretaker means a person who (1) is directly and personally involved in providing care for a minor child or incompetent adult and (2) is the parent, foster parent, family member, friend, or legal guardian of such minor child or incompetent adult.

Source: Laws 1995, LB 563, § 9; Laws 1997, LB 66, § 1; Laws 1999, LB 594, § 41. Operative date May 26, 1999.

71-1,132.31. Board of Nursing; executive director; department; appoint practice consultant, education consultant, and nurse investigators. The board shall appoint an executive director who is a registered nurse currently licensed in this state and who has a graduate degree in nursing. The executive director shall have a minimum of five years' experience within the last ten years in the areas of administration, teaching, or consultation in the field of nursing. The salary of the executive director shall be fixed by the department and be competitive with salaries for similar positions of responsibility which require similar education and experience. The executive director shall not be a member of the board. The executive director shall be administrator of the Nurse Licensure Compact. As administrator, the executive director shall give notice of withdrawal to the executive heads of all other party states within thirty days after the effective date of any statute repealing the compact enacted by the Legislature pursuant to Article X of the compact.

The department shall appoint a practice consultant and an education consultant, each of whom is a registered nurse currently licensed in this state and has a minimum of five years' experience. On and after January 1, 1995, any person newly appointed to these positions shall also have a graduate degree in nursing. The salaries for these positions shall be fixed by the department and be competitive with salaries for similar positions of responsibility which require similar education. The nursing education consultant and nursing practice consultant shall not be members of the board.

The department shall appoint one or more nurse investigators to conduct investigations of violations of the Nurse Practice Act. Each nurse investigator shall be a registered nurse currently licensed in this state and have a minimum of five years' experience in nursing practice. The nurse investigators shall not be members of the board.

Source: Laws 1995, LB 563, § 10; Laws 2000, LB 523, § 8. Operative date January 1, 2001.

71-1,132.32 to 71-1,132.34. Repealed. Laws 1983, LB 472, §8.

71-1,132.35. Nursing; unlawful acts; enumerated. Except as otherwise provided in the Nurse Practice Act, no person, association, partnership, limited liability company, corporation, or institution shall:

(1) Sell or fraudulently obtain or fraudulently furnish any nursing diploma, license, record, or registration or aid or abet therein;

(2) Practice nursing under cover of any diploma, license, record, or registration illegally or fraudulently obtained or signed unlawfully or under fraudulent representation;

(3) Practice nursing unless duly licensed to do so under the Nurse Practice Act;

(4) Use in connection with his or her name any designation tending to imply that he or she is a nurse, a registered nurse, or a licensed practical nurse unless duly licensed so to practice under the act;

(5) Practice nursing during the time his or her license issued under the act is suspended, revoked, lapsed, inactive, or expired;

(6) Conduct a program of nursing unless the program has been approved by the board; or

(7) Otherwise violate any of the provisions of the act.

Source: Laws 1953, c. 245, § 19, p. 846; Laws 1975, LB 422, § 16; Laws 1993, LB 121, § 418; Laws 1995, LB 563, § 30; Laws 2002, LB 1062, § 29. Operative date July 20, 2002.

71-1,132.36. Nursing; violations; penalties. Any person violating the Nurse Practice Act is guilty of a Class III misdemeanor. Each subsequent offense is a Class II misdemeanor. Upon the request of the department, the Attorney General shall institute in the name of the state the proper proceedings against any person regarding whom a complaint has been made,

charging him or her with violation of any of the provisions of the act, and the county attorney, at the request of the Attorney General or of the department, shall appear and prosecute such action when brought in his or her county.

Source: Laws 1953, c. 245, §20, p. 847; Laws 1959, c. 320, §6, p. 1174; Laws 1977, LB 39, §144; Laws 1980, LB 847, §18; Laws 1995, LB 563, §31. Operative date June 7, 1995.

71-1,132.37. Practical nursing; license; application; requirements. An applicant for a license to practice as a licensed practical nurse shall file with the department a written application for a license which shall include the applicant's social security number, pay the fee established as provided in section 71-162, and submit satisfactory proof that the applicant:

- (1) Is of good moral character;
- (2) Has completed four years of high school study or its equivalent as determined by the board; and
- (3) Has completed the basic curriculum in and holds a diploma from an approved program of nursing.

Source: Laws 1955, c. 272, § 8, p. 859; Laws 1974, LB 811, § 13; Laws 1975, LB 422, § 17; Laws 1980, LB 847, § 19; Laws 1989, LB 344, § 7; Laws 1995, LB 563, § 32; Laws 1997, LB 752, § 158; Laws 1999, LB 594, § 42; Laws 2003, LB 242, § 47. Operative date July 1, 2004.

71-1,132.38. Disciplinary actions; limitations imposed by compact. (1) In order to effectuate the transition into compact administration, the board shall require all licensees entering into or becoming subject to an order of probation or other disciplinary action that limits practice or requires monitoring to agree, as of the date of the order, not to practice in any other state which is a party to the Nurse Licensure Compact during the term of such probation or disciplinary action without prior authorization from the other party state.

(2) Any licensee subject to disciplinary action, such as revocation, suspension, probation, or any other action which affects a licensee's authorization to practice, on the effective date of entering the compact, is not entitled to a multistate license privilege while such disciplinary action is in effect unless practice in another state is authorized by this state and any other state in which the licensee wishes to practice.

Source: Laws 2000, LB 523, § 3. Operative date January 1, 2001.

71-1,132.39 to 71-1,132.40. Repealed. Laws 1975, LB 422, §21.

71-1,132.41. Practical nursing; license; title or abbreviation; use. Any person who holds a license to practice as a licensed practical nurse in this state shall have the right to use the title Licensed Practical Nurse and the abbreviation L.P.N. No other person shall assume or use such title or abbreviation or any words, letters, signs, or devices to indicate that the person using the same is authorized to practice practical nursing in this state.

Source: Laws 1955, c. 272, §12, p. 860; Laws 1995, LB 563, §33. Operative date June 7, 1995.

71-1,132.42. Repealed. Laws 1975, LB 422, §21.

71-1,132.43. Repealed. Laws 1978, LB 756, §59.

71-1,132.44 to 71-1,132.46. Repealed. Laws 1983, LB 472, §8.

71-1,132.47. Repealed. Laws 2003, LB 242, s. 154.

71-1,132.48. Administrative proceedings; applicability of other laws. The provisions of the Administrative Procedure Act shall apply to administrative proceedings required by sections 71-1,132.04 to 71-1,132.08, 71-1,132.11 to 71-1,132.16, 71-1,132.20, 71-1,132.27, 71-1,132.29, 71-1,132.35, and 71-1,132.37.

Source: Laws 1975, LB 422, § 19; Laws 2003, LB 242, § 48. Operative date July 1, 2004.

71-1,132.49 and 71-1,132.50. Repealed. Laws 2003, LB 242, s. 154.

71-1,132.51. Repealed. Laws 1981, LB 379, §38.

71-1,132.52. Repealed. Laws 1995, LB 563, §50.

71-1,132.53. Nursing; Department of Health and Human Services Regulation and Licensure; powers and duties. The Department of Health and Human Services Regulation and Licensure shall:

- (1) Conduct hearings upon charges of suspension or revocation of a license;
- (2) Have power to issue subpoenas and compel the attendance of witnesses and administer oaths to persons giving testimony at hearings;
- (3) Cause the prosecution of all persons violating the Nurse Practice Act and have power to incur the necessary expense; and
- (4) Establish fees for credentialing activities under the Nurse Practice Act as provided in section 71-162.

Source: Laws 1980, LB 847, § 25; Laws 1995, LB 563, § 37; Laws 1996, LB 1044, § 438; Laws 2003, LB 242, § 49. Operative date July 1, 2004.

